

Re Item V

V.1 Prior art

Reference is made to the following documents:

D1: US-B-6 606 980

D2: US-A-4 354 521

V.2 Novelty and inventive step

The subject matter of claim 1 is novel and is based on an inventive step (Article 33(2, 3) PCT).

D1 and D2 show a feed unit having the same structural design as in the application, see D1, fuel pump (134), first chamber (124), second chamber (125) and throttle valve (passage 146), or D2, fuel pump (not illustrated, cf. line 5 and filter 6), first chamber (4; B), second chamber (3; A1, A2) and throttle valve (9; 15).

Neither from D1 nor from D2 can it be ascertained that the volumetric flow of fuel that is restricted by the valve is smaller than the volumetric flow fed by the fuel pump. Neither does the expert obtain any prompting to undertake an appropriate configuration of this valve. He could not therefore arrive at the subject matter of claim 1.

The dependent claims, on account of their back-referencing, likewise meet the PCT requirements in respect of novelty and inventive step (Article 33 (2, 3) PCT). They relate to refinements and developments of the invention.

V.3 Commercial applicability

The subject matter of claims 1 to 9 appears to meet the requirements of Article 33(4)PCT, since it can be used at least in the motor vehicle industry.

V.4 Remarks

1. The features of the precharacterizing clause of claim 1 have not been provided with reference numerals placed in brackets (Rule 6.2b) PCT). Independent claim 1 is not drafted in the correct two-part form in accordance with Rule 6.3b) PCT.

2. In contradiction to the requirements of Rule 5.1 a) ii) PCT, neither the relevant prior art disclosed in documents D1 and D2 nor these documents are specified in the description.